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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/609,104	06/26/2003	Cezary Marcjan	1026-094/MMM 303082.01	9236
27195	7590	04/04/2005	EXAMINER	
AMIN & TUROCY, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114			BAYERL, RAYMOND J	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/609,104	Applicant(s) MARCJAN ET AL.	
	Examiner Raymond J. Bayerl	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 22 is/are pending in the application.
- 4a) Of the above claim(s) 19 - 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>28 June 2004</u> . | 6) <input type="checkbox"/> Other: _____ |

1. Applicant's election with traverse of invention I, claims 1 – 18, in the reply filed on 20 January 2005 is acknowledged. The requirement is still deemed proper and is therefore made FINAL.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3 – 4, 12 – 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase “the plural computer communication formats” in claims 3, 4 does not have clear antecedent basis, since the “communication formats” do not appear until non-parent claim 2. A similar problem exists with claims 12, 13.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al. (“Cohen”; US #6,507,845 B1) in view of Sluiman et al. (“Sluiman”; US #6,098,072).

As per independent claim 1’s “object access control graphical user interface”, Cohen discloses that two separate regions of a screen display (Abstract; fig 10) show a list of users in association with an activity (“at least one of the computer spaces corresponding to access to the computer object for one or more computer users”) and a list of data objects in association with an activity (suggesting a secondary region like those among the “computer spaces”). In the fig 10 example, Cohen shows “a name field” as Blake Matter, with an assortment of documents—Response, Sett. Offer, etc. See also col 6, line 35 – col 7, line 3) .

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Cohen, while showing items in association with the overall task interface, does not **explicitly** show that this member of “spaces” is “corresponding to a computer location”. However, Sluiman teaches that a physical location can appear in an interface in conjunction with contextual view hierarchies that contain only references to the physical location (Abstract; fig 2), when presenting a FILE DIRECTORY. See also col 3, lines 32 – 56.

Thus, it would have been obvious to a person having ordinary skill in the art at the time of applicant’s invention to produce an “interface” for “controlling access to a computer object” in which “users” appear in conjunction with an object “name”, as per

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Cohen, but with the secondary Cohen “space” having the alternative of actual “computer location” indications as per Sluiman, so as to increase the flexibility the user has in accessing files distributed within a directory system. Motivation rests at least in Sluiman for such an adaptation, since it is seen there that both physical and contextual views in an interface are valuable in referencing an object.

Claim 2’s use of “one of plural communication formats” to provide for “spaces” for “users” reads upon Cohen’s option menu UI 240 (col 8, lines 51 – 61). The “communication” enabled can extend to email (claim 3) or a chat window, which provides claim 4’s “instant messaging”.

Claim 5’s “plural selectable computer spaces” that are in a “ranked sequence” is suggested by the indication of current or most recent activity as retrieved from a history file (col 6, lines 35 – 45; fig 10), with this being “determined automatically from user computer interactions” (claim 6) that produce the activity indications.

The interface as presented in Cohen is of a coherent nature, and thus, the “spaces” can be seen as “listed together in a single access control field” (claim 7). Alternatively, the two regions for users and documents reasonably reads upon “separate respective access control fields” (claim 8) as well.

As per claim 9, the region for document components in Cohen is certainly a “flat representation”, without the “hierarchy” that one would find in the true physical location indicators of Sluiman, should that option be exercised and full pathnames revealed.

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Claims 10 – 18, drawn to “software” “In a computer readable medium”, have the same basic limitations as respective “user interface” claims 1 – 9, and are rejected using lines of reasoning similar to those given above.


7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The additionally-cited US Patent documents (see attached form PTO-892) relate to providing representations of objects stored in computer systems, such as those that exist in structured file arrangements.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - Th from 9:00 AM to 4:00 PM ET.

9. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

10. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173

30 March 2005